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HOUSE BILL 2121 By
Bone

SENATE BILL 2791
By Rochelle

AN ACT to amend Tennessee Code Annotated, Title 53, relative to the labeling of certain seafood products.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 53, Chapter 1, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 53-1-1__.

(a) All catfish products sold in this state, whether at wholesale or retail, shall be labeled to denote the nation of origin of the catfish, which information shall be preceded by the words "Product of". Such labels shall be easily identifiable and affixed to each package of catfish products sold.

(b) The commissioner shall enforce the labeling requirements of this section and is authorized to promulgate rules and regulations pursuant to Title 4, Chapter 5, to implement the provisions of this act.

(c) In the event of a violation of this section, the commissioner is authorized to:

(1) Order the packager, distributor, or retailer to cease the distribution or sale of catfish products that are not labeled or are labeled in violation of this section;

(2) Seek injunctive relief to stop labeling practices that are in violation of this section; and

(3) Order the packager, distributor, or retailer to comply with the provisions of this section or any rule or regulation promulgated pursuant thereto.

(d) Any person who violates the labeling requirements of this section shall be subject to a civil penalty of not more than one thousand dollars (\$1,000) for each violation. Each day of continued violation constitutes a separate violation.

(e) Any person aggrieved by an order or civil penalty imposed by the commissioner shall be entitled to a hearing in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. This act shall take effect July 1, 2002, the public welfare requiring it.